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An Abstract of the Act for punishing Mutiny and Desertion, and for the better Payment of the Army, and their Quarters.

WHEREAS the raising or keeping a standing Army within this Kingdom in time of Peace, unless it be with consent of Parliament, is against Law: And whereas it is judged Necessary, That a number of Troops, not exceeding sixteen Thousand three hundred and forty seven Men, for Guards and Garrisons in *Great Britain*, and for *Jersey* and *Guernsey*, be kept on foot for the Guard of His Majesties Royal Person, and the Safety of this Kingdom; and also a certain number of Troops for the Defence of His Majesty's Dominions beyond the Seas belonging to the Crown of *Great Britain*: And whereas no Man may be subjected in the time of Peace to any kind of Punishment within this Realm by Martial Law, or in any other manner than by the Judgment of his Peers, and according to the known and established Laws of this Realm; yet, nevertheless, it being requisite for the retaining such Forces in their Duties, that an exact Discipline be observed, and that Soldiers who shall Mutiny, or stir up Sedition, or shall Desert His Majesty's Service, be brought to a more exemplary Punishment than the Laws at present will allow: Be it therefore Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same.

That from 24 *March* 1717, every Officer or Soldier in the Army, who shall at any time before 25 *March* 1719, in *Great Britain* or *Ireland*, cause any Mutiny, or Desert, or List in any other Regiment, &c, without a Discharge, or shall refuse to obey any lawful Command of his Superior Officer, shall suffer Death, or such other Punishment, as by a Court-Martial shall be inflicted.

His Majesty may grant Commissions under His Royal Sign Manual to any Officer, not under the Degree of a Field Officer, for holding a General Court Martial within this Realm; and may grant his Warrant to the Lord Lieutenant of *Ireland*, or other Chief Governor there, to appoint Courts-Martial in that Kingdom, for Punishing the said Offences, and all other Offences hereafter specified.

Courts-Martial by their Sentence or Judgment may inflict Corporal Punishment, not extending to Life or Limb, on any Soldier, for Immoralities, Misbehaviour, or Neglect of Duty.

No such Court-Martial shall consist of less than 13, all Commission-Officers, and the President a Field-Officer, or the Commander in Chief of the Garrison where the Offender shall be Tryed; and such Court-Martial may administer an Oath to any Witness in Order to the Examination or Tryal of the Offences that shall come before them.

In all Tryals by Courts-Martial, when the Offence may be punished by Death, every Officer at such Tryal, shall take an Oath before the Court and Judge Advocate, &c. in the Words set down in the Act, for well and truly trying the same, according to the Evidence.

No Sentence of Death, unless Nine Officers concur; and if there be a greater Number, the Judgment shall pass by the Concurrence of the major part sworn, which shall not be less than Nine; and no Proceeding, &c. shall be had, but between the Hours of Eight of the Clock in the Morning, and one in the Afternoon.

Provided always, that nothing in this Act contained, shall extend or be construed to exempt any Officer or Soldier whatsoever, from being proceeded against by the ordinary course of Law, or be any ways construed to extend to any of the Militia-Forces of this Kingdom.

By this Act, a Penalty is laid on Persons, who give or procure false Certificates to excuse Soldiers from Musters

Also a Penalty on Officers making false Musters.

Names allowed by His Majesty's Order upon the Muster Rolls, for the Maintenance of Widows of Officers who lost their Lives in the Service, during the late War, or in the late Rebellion, are not to be construed to be a false Muster.

The Muster-Rolls to be Signed by the Mayor, or other Chief Magistrate of the Place where the Muster is made.

A Penalty laid on the Muster-Master, who shall neglect to give Notice of such Muster, to such Mayor or Chief Magistrate, &c.

Persons who shall be falsly Mustered, or offer themselves to be falsly muster'd, to be sent to the House of Correction.

Horses false Mustered, are to be forfeited.

'Tis directed in what manner such Forfeitures shall be levied.

A Penalty is laid on Agents, &c. detaining Officers or Soldiers Pay.

The Commanding Officers are enjoyned to Certifie, who are Sick or raising Recruits.

A Penalty is laid on Officers Mustering Persons by a wrong Name.

It is Enacted, That for and during the Continuance of this Act, and no longer, it shall and may be Lawful for the Constables, Tythingmen, Headboroughs, and other Chief Officers and Magistrates of Cities, Towns, and Villages, and other Places within *England*, *Wales*, and Town of *Berwick* upon *Tweed*, and in their Default or Absence, for any one Justice of the Peace inhabiting in or near any such City, Town, Village, or Place, and for no others, to Quarter and Billet the Officers and Soldiers in His Majesty's Service, in Inns, Livery-Stables, Ale-Houses, Victualling-Houses, and all other Houses selling Brandy, Strong-Waters, Cyder, or Metheglin, by Retail, to be drunk in their Houses, other than and except the House or Houses of any Distillers, who keep Houses or Places of Distilling Brandy or Strong-Waters, and the House of any Shop Keeper, whose principal Dealings shall be more in other Goods and Merchandizes than in Brandy and Strong-Waters, who do not permit or suffer Tipling in his or their Houses, and no other, and in no Private Houses whatsoever; nor shall any more Billets at any time be ordered than there are effective Soldiers present to be Quartered. And if any Constable, Tythingman, or such like Officer or Magistrate, as aforesaid, shall presume to Quarter or Billet any such Officer or Soldier in any Private House, without the Consent of the Owner or Occupier, in such case such Owner or Occupier shall have his or their Remedy at Law against such Magistrate or Officer, for the Damage that such Owner or Occupier shall sustain thereby.

A Penalty on any Officer that shall take upon him to quarter Soldiers contrary to this Act, or deter Civil Officers from doing their Duty.

Persons upon whom a greater Number of Soldiers are billetted than they ought to bear in Proportion to their Neighbours, may complain to one or more Justice or Justices of the Peace, who may remove part if they see Cause.

Provided nevertheless, and it is hereby Enacted, That the Officers and Soldiers so Quartered and Billeted, as aforesaid, shall be Received by the Owners of the Inns, Livery-Stables, Ale-Houses, Victualling-Houses, and other Houses, in which they are allowed to be Quartered and Billeted by this Act, and shall pay

[Price Two Pence.]

pay such reasonable Prices as shall be appointed, from time to time, by the Justices of the Peace in their General and Quarter Sessions of each County, City, Division, or Place within their respective Jurisdictions; and the Justices of the Peace aforesaid, are hereby Impowered and Required to Set and Appoint in their General or Quarter Sessions aforesaid, such reasonable Rates for all necessary Provisions for such Officers and Soldiers for one or more Nights, in their Marching through their Cities, Towns, Villages, and other Places, as shall be Appointed for their Residence and Quarters.

Provided always, and be it Enacted, That if any Officer shall take, or cause to be taken, or knowingly suffer to be taken, any Money of any Person for excusing the Quartering of Officers or Soldiers, or any of them, in any House allowed by this Act, every such Officer shall be Cashired, and be incapable of Serving in any Military Employment whatsoever.

And be it Enacted, That it shall and may be Lawful to Quarter Officers and Soldiers in *Scotland*, in such and the like Places and Houses as they might have been Quartered in, and that the Possessors of such Houses shall only be liable to Furnish the said Officers and Soldiers Quartered there, as by the Laws in *Scotland*, in Force at the Time of the Union, was Provided; and that no Officer shall be obliged to pay for his Lodging where he shall be regularly Billeted, except in the Suburbs of *Edinburgh*.

No Paymaster, &c. to make Deductions out of Officers or Soldiers Pay, other than the usual Deductions for Clothing, Chelsea Hospital, &c.

Treasury may issue the Money due for Clothing every two Months.

The Paymasters to deduct the Off Reckonings, to pay for the Clothing.

For better Payment of Quarters, it is Enacted, That from and after the said Twenty fourth Day of March, One thousand seven hundred and seventeen, every Officer to whom it belongs to receive, or that doth actually receive the Pay or Subsistance Money, either for a whole Regiment, or particular Troops and Companies, or otherwise, shall immediately upon each Receipt of every particular Sum, which shall, from time to time, be paid, returned, or come to his or their Hands, on Account of Pay or Subsistance, give publick Notice thereof to all Persons keeping Inns, or other Places where Officers or Soldiers are quartered by Virtue of this Act; and shall also appoint the said Inn-keepers and and others to repair to their Quarters, at such times as they shall appoint for the Distribution and Payment of the said Pay or Subsistance-Money to the Officers or Soldiers, which shall be within four Days at the furthest after the Receipt of the same, as aforesaid: And the said Inn-keepers, and others, shall then and there acquaint such Officer or Officers with the Accounts or Debts (if any shall be) between them and the Officers and Soldiers so quartered in their respective Houses; which Accounts the said Officer or Officers are hereby required to accept of, and immediately pay the same before any part of the said Pay or Subsistance be distributed, either to the Officers or Soldier.

The said Accounts are fix'd at the Sums which have been usually allowed: And it is provided, That if any Officer or Officers, as aforesaid, shall not give Notice, as aforesaid, and shall not immediately, upon producing such Accounts stated, satisfy, content, and pay the same, upon Complaint and Oath made thereof by any two Witnesses, at the next Quarter Sessions for the County or City where such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized and required to administer) the Paymaster or Paymasters of His Majesty's Guards and Garrisons are hereby required and authorized (upon Certificate of the said Justices, before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing) to pay and satisfy the said Sums out of the Arrears due to the said Officer or Officers, upon Penalty that such Paymaster or Paymasters shall forfeit their respective Place or Places of Paymaster or Paymasters, and be discharged from holding the same for the future; And in Case there shall be no Arrears due to the said Officer or Officers, then the said Paymaster or Paymasters are authorized and required to deduct the Sums he or they shall pay, pursuant to the Certificate of the said Justices, out of the next Pay or Subsistance-Money of the Regiment to which such Officer or Officers shall belong; and such Officer or Officers shall for such their Offence, or for neglecting to give Notice of the Receipt of such Pay or Subsistance Money, as aforesaid, be deemed and taken, and are declared *ipso facto* Cashiered. And where it shall happen that the Subsistance Money due to any Officer or Soldier shall, by Occasion of any Accident, not be paid to such Officer or Soldier, or such Officer or Soldier shall neglect to pay the same, so that Quarters cannot be, or are not paid as this Act directs; and where any Horse, Foot, or Dragoons shall be upon their March, so that no Subsistance can at present be remitted unto them, to make Payment, as this Act directs, or they shall neglect to pay the same; In every such Case, it is Enacted, That every such Officer shall, before his or their Departure out of his or their Quarters, where such Regiment, Troop, or Company shall remain for any time whatsoever, make up the Accounts, as this Act directs, with every Person with whom such Regiment, Troop, or Company shall have Quartered, before he leaves that Quarter, and give the said Certificate, so by him signed, to the Party to whom such Money is due, with the Name of such Regiment, Troop, or Company to which he or they shall belong, to the End the said Certificate may be forthwith transmitted to the Paymaster of His Majesty's Guards and Garrisons, who is required immediately to make Payment thereof to the Person or Persons to whom such Money shall be due, to the End the same may be applied to such Regiment, Troop or Company respectively, under Pain as is before in this Act directed for Non payment of Quarters.

No Muster to be made in *Westminster* and *Southwark*, but in the Presence of two or more Justices of the Peace, not being Officers of the Army.

Constables, &c. may Quarter Officers and Soldiers of His Majesty's Regiments of Foot-Guards, in such Houses only as by this Act are limited, in *Westminster*, and its Liberties, and Places adjacent, (*The City of* London *excepted*,) during the Continuance of this Act.

This Act to extend to *Jersey* and *Guernsey*.

Muster-Rolls to be closed on the Day of Muster, and to be returned to the Pay-Master of the Forces, &c. under a Penalty.

And be it further Enacted, For the better and more regular Provision of Carriages for His Majesty's Forces in their Marches, or for their Arms, Clothes and Accoutrements, in *England*, *Wales*, and Town of *Berwick* upon *Tweed*, That all Justices of the Peace, within their several Counties, Ridings, Divisions, Shires, Liberties, and Precincts, being duly required thereunto by an Order from His Majesty, or the General of his Forces, shall, as often as such Order is brought and shewn unto one or more of them (by the Quarter-Master, Agent, or other Officer of the Regiment, Detachment, Troop, or Company, so ordered to march) Issue out his or their Warrants to the Constables, or Petty-Constables of the Division, Riding, City, Liberty, Hundred, or Precinct, from, through, near, or to which such Regiment, Detachment, Troop, or Company shall be ordered to march, requiring them to make such Provision of Carriages, with able Men to drive the same, as is mentioned in the said Warrant, allowing them sufficient Time to do the same, that the Neighbouring Parts may not always bear the Burden: And the aforesaid Officer or Officers, who, by virtue of the aforesaid Warrant from the Justices of the Peace, are to demand the Carriage or Carriages therein mentioned, of the Constable to whom the Warrant is directed, is and are hereby required, at the same time, to pay down in Hand to the said Constable, for the Use of the Person who shall provide such Carriages and Men, the Sum of one Shilling for every Mile any Waggon with five Horses shall travel; and the Sum of one Shilling for every Mile any Wain with six Oxen, or four Oxen with two Horses, shall travel; and the Sum of nine Pence for every Mile any Cart with four Horses shall travel; and so in Proportion for less Carriages: And such Constable, or Petty-Constable, shall order and appoint such Person and Persons, having Carriages within their respective Liberties, as they shall think proper, to provide and furnish such Carriages and Men, according to the

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Warrant aforesaid, who are hereby required to provide and furnish the same accordingly: And if any military Officer or Officers, for the Use of whose Troop or Company the Carriage was provided, shall force and constrain any Waggon, Wain, Cart or Carriage, to travel any more than one Day's Journey, or shall not discharge the same in due time for their Return home, or shall suffer or connive at his or their Soldiers or Servants, (except such as are sick) or any Woman, to ride in the Waggon, Wain, Cart or Carriage aforesaid, or shall force any Constable or Petty Constable, by threatning or menacing Words, to provide Saddle-Horses for themselves or Servants, or shall force Horses from the Owners, by themselves, Servants or Soldiers, every such Officer shall, for every such Offence, forfeit the Sum of Five Pounds, Proof thereof being made upon Oath before two or his Majesty's Justices of the Peace of the same County or Riding, who are to certify the same to the Pay-master General, or other respective Paymaster of His Majesty's Forces, who is hereby required to pay the aforesaid Sum of Five Pounds, according to the Order and Appointment, under the Hands and Seals of the aforesaid Justices of the Peace of the same County or Riding, who are hereby impowered to deduct the same out of such Officer's Pay.

A Penalty not exceeding 40 s. nor less than 10 s. to be levied upon Constables, &c. neglecting or refusing to execute the Warrants of the Justices for providing such Carriages, and on Persons not providing the same when ordered by the Constables, &c. and on all others hindring the Execution of such Warrants.

And whereas the respective Sums of Money, by this Act appointed to be paid to the Constables by the Officers demanding such Carriages, are not, in many Cases, sufficient to answer the Charge and Expences of providing the same, insomuch that the said Constables are frequently at great Charges, over and above what is received by them of the said Officers, to the great Burden of the Township of which he is Constable, or else Persons performing such Carriages are grievously oppress'd: For Remedy whereof, and that the said Overplus charge may be born by each County or Riding, at the general Charge of such County or Riding, Be it Enacted, That the Treasurer or Treasurers of each respective County or Riding, shall, without Fee or Reward, pay unto such Constable or Constables, all and every such reasonable Sum and Sums of Money, so by him or them paid or laid out for such Carriages, over and above what was or ought to have been paid by the Officer requiring such Carriages, out of the publick Stock of such County or Riding, according to such Rates, Orders, Rules, or Directions, as the Justices of the Peace, in their Quarter-Sessions assembled within their respective Jurisdictions, shall, from time to time, during the Continuance of this Act, make, direct, or appoint, (which Orders shall be made without Fee or Reward) Regard being always had to the Season of the Year, and the Length and Condition of the Ways by and thro' which such Carriages are to travel; And in case the said publick Stock of the County or Riding be not sufficient, (over and above the other Purposes for which it was rais'd) to satisfy the extraordinary Charge of Carriages before mentioned, It is hereby further Enacted, That the said Justices of the Peace in the General Quarter Sessions, shall have Power from time to time, to raise Monies upon their respective Counties or Ridings, in such manner as they now raise Money for County Goals and Bridges, to satisfy the said extraordinary Charge of Carriages.

No Waggon to carry above Twenty Hundred Weight.

Carriage for the Service of the Forces in *Scotland*, shall be provided and paid at the Rates, and in such Manner, as by the Laws in Force in *Scotland*, at the Time of the Union.

And whereas great Abuses are frequently committed by the Liberty taken by some Officers and Soldiers to Quarter their Wives, Children, and Maid Servants in their Quarters, contrary to the Purport and Meaning of this Act; Be it Enacted, That if any Officer, Military or Civil, by this Act authorized to Quarter Soldiers in any Houses hereby appointed for that Purpose, shall at at any Time, during the Continuance of this Act, Quarter any of the Wives, Children, or Maid-Servants of Officer or Soldier, in any such Houses, against the Consent of the Owners, the Party offending, if Officer or Soldier of the Army, shall, upon Complaint and Proof thereof made to the Commander in Chief of the Army, or Judge-Advocate, be *ipso facto* cashiered: And if a Constable, Tythingman, or other Civil Officer, he shall forfeit to the Party grieved Twenty Shillings, upon Complaint and Proof thereof made to the next Justice of the Peace, to be Levied by Warrant of such Justice, by Distress and Sale of his Goods, rendring the Overplus to the Party, after deducting reasonable Charges in taking the same.

And for the better Preservation of the Game, in or near such Place where any Officers or Soldiers shall at any time be Quartered; Be it Enacted, That if, from and after the said Twenty Fourth Day of *March*, One thousand seven hundred and seventeen, any Officer or Soldier shall, without Leave of the Lord of the Manor, under his Hand and Seal first had and obtained, Take, Kill, or Destroy, any Hare, Coney, Pheasant, Partridge, Pigeon, or any other sort of Fowls, Poultry, or Fish, or His Majesty's Game, within the Kingdom of *Great Britain*, and upon Complaint thereof, shall be, upon Oath of one or more Witness or Witnesses, convicted before any Justice of the Peace, who is hereby Impowered and Authorized to Hear and Determine the same; That is to say, Every Officer so offending, shall, for every such Offence, forfeit the Sum of Five Pounds, to be distributed among the Poor of the Place where such Offence shall be committed; and every Officer commanding in Chief upon the Place, for every such Offence committed by any Soldier under his Command, shall forfeit the Sum of Twenty Shillings, to be paid and distributed in Manner aforesaid: And if upon such Conviction made by the Justices of the Peace, and Demand thereof also made by the Constable or Overseers of the Poor, such Officer shall refuse or neglect, and not within two Days pay the said respective Penalties, such Officer so refusing or neglecting, shall forfeit, and is hereby declared to have forfeited his Commission, and his Commission is hereby declared to be null and void.

Directions are given by the Act how the Accompts of every Regiment shall be kept.

A Penalty is laid on Pay-masters and Colonels offending therein.

And whereas several Soldiers being duly listed, do afterwards desert, and are often found wandring, or otherwise absenting themselves illegally from His Majesty's Service; it is hereby further enacted, That it shall and may be lawful to and for the Constable, Headborough or Tythingmen of the Town or Place where any Person, who may reasonably be suspected to be such a Deserter, shall be found, to apprehend or cause him to be apprehended, and to cause such Person to be brought before any Justice of the Peace living in or near such Town or Place, who hath hereby Power to examine such suspected Person; and if, by his Confession, or by the Testimony of one or more Witness or Witnesses upon Oath, or by the Knowledge of such Justice of the Peace, it shall appear, or be found that such suspected Person is a listed Soldier, and ought to be with the Troop or Company to which he belongs, such Justice of the Peace forthwith shall cause him to be conveyed to the Goal of the County or Place where he shall be found, and transmit an Account thereof to the Secretary at War for the time being, to the end such Person may be proceeded against according to Law.

A Reward of 20 s. is given for taking up a Deserter.

A Penalty of 5 l. is laid on Persons concealing Deserters, or buying their Arms, Clothes, &c. or causing the Colour of their Cloaths to be changed.

Provided always, That no Commission Officer shall break open any House to search for Deserters, without Warrant from a Justice of the Peace; and that every Commission Officer who shall, without Warrant from one or more of his Majesty's Justices of the Peace (which said Warrants the said Justice or Justices are hereby impowered to grant) forcibly enter into, or break open the Dwelling-house or Out-houses of any Person whatsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds,

His Majesty is authorized by this Act to make Articles of War.

Deserters beyond Sea may be tried here or in Ireland.

If any Person or Persons shall, in a Court Martial constituted, as aforesaid, be Tryed, and Acquitted, or convicted of any Crimes or Offences herein before mentioned, such Acquittal or Conviction shall be a full Bar to any Indictment or Proceedings for the same Offence. [*See the 16th and 44th Articles of War.*]

This Act to extend to Deserters or Mutineers in Ireland.

Pay-masters, &c. to accompt with the Executors, &c. of every Officer or Soldier.

Persons sued for any thing directed to be done by this Act, may plead the general Issue.

This Act is to continue from the 24th of March, 1717, to the 25th of March, 1719.

And whereas by an Act of the first Year of His Majesty's Reign, entituled, *An Act for the more effectual and exemplary Punishment of such Persons as shall seduce Soldiers to desert, or being Papists, shall inlist themselves in His Majesty's Service in Great Britain or Ireland, or in the Islands of Guernsey or Jersey*, it is enacted, That any Person or Persons whatsoever, who should directly or indirectly perswade or procure, or endeavour to perswade or procure any Soldier or Soldiers in the Service of His Majesty, or of His Heirs or Successors, to desert, such Person or Persons so offending, and being thereof lawfully convicted, should forfeit the Sum of Forty Pounds: Now be it enacted, That for such Offences as shall be committed against the said recited Act within that Part of Great Britain called England, the Penalties thereby enacted, shall be sued for and recoverable in any of His Majesty's Courts of Record at Westminster; and for such Offences against the said Act as shall be committed in that Part of Great Britain called Scotland, the same shall be sued for and recoverable in His Majesty's Court of Exchequer in Scotland; and for such Offences against the said Act as shall be committed in Ireland, the same shall and may be sued for and recoverable in any of the four Courts at Dublin; any thing in the said recited Act to the contrary thereof in any wise notwithstanding.

For preventing unjust and fraudulent Arrests of Soldiers, whereby His Majesty and the Publick may be deprived of their Service; It is Enacted, That no Person whatsoever, who is Listed or shall List and Enter himself, as a Volunteer, into His Majesty's Service, as a Soldier, either in the Kingdom of *Great-Britain* or *Ireland*, during the Continuance of this Act, shall be liable to be taken out of His Majesty's Service by any Process or Execution whatsoever, other than for some Criminal Matter, unless for a Real Debt, or other just Cause of Action, and unless before the taking out such Process or Execution, not being for a Criminal Matter, the Plaintiff or Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before One or more Judge or Judges of the Court of Record, or other Court out of which such Process or Execution shall Issue, That to his or their Knowledge the Sum justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or the Cause of Action, on which such Process shall Issue, or the Debt or Damages and Costs for which such Execution shall be Issued out, amounts to the Value of Ten Pounds at least, a Memorandum of which Oath shall be marked on the Back of such Process or Writ, for which Memorandum and Oath no Fee shall be taken; And if any Person shall be nevertheless Arrested contrary to the Intent of this Act, It shall and may be Lawful for One or more Judge or Judges of such Court, upon Complaint made thereof by the Party himself, or by any his Superior Officer, to Examine into the same, by the Oath of the Parties, or otherwise, and by Warrant under his or their Hands and Seals, to Discharge such Soldier so Arrested, contrary to the Intent of this Act, without Paying any Fee or Fees, upon due Proof made before him or them that such Soldier so Arrested was Legally Listed as a Soldier in His Majesty's Service, and Arrested contrary to the Intent of this Act, and also to award to the Party so complaining such Costs as such Judge or Judges shall think Reasonable; for the Recovery whereof he shall have the like Remedy that the Person who takes out the said Execution might have had for his Costs, or the Plaintiff in the said Action might have had for the Recovery of his Costs, in case Judgment had been given for him with Costs against the Defendant in the said Action.

For enabling honest Creditors to recover their just Debts from Soldiers, it is provided, That it shall and may be Lawful to and for any Plaintiff or Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Person or Persons so Listed, or left at his or their last Place of Residence before such Listing, to File a Common Appearance in any Action to be brought for or upon Account of any Debt whatsoever, so as to Entitle such Plaintiff to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than against the Body or Bodies of him or them so Listed, as aforesaid.

A Penalty not exceeding 5 *l.* nor less than 40 *s.* to be laid on Constables, &c. taking or agreeing for Money to excuse any Person from Quartering; and on Victuallers refusing to quarter Soldiers.

And for the better Preventing Abuses in Quartering or Billeting of Soldiers in pursuance of this Act, Be it further Enacted, That it shall and may be Lawful to and for any One or more Justice or Justices of the Peace, within their respective Counties, Cities, or Liberties, by Warrant or Order under his or their Hands and Seals, at any time or times during the Continuance of this Act, to Require and Command any High-Constable Constable, Beadle, or other Officers, who shall Quarter or Billet any Soldiers in pursuance of this Act, to give an Account in Writing unto the said Justice or Justices requiring the same, of the Number of the Officers and Soldiers who shall be Quartered or Billeted by them, and also of the Names of the House-keepers or Persons upon whom every such Officer or Soldier shall be Quartered or Billeted, together with an Account of the Street or Place where such House-keepers dwell, and of the Signs (if any) belonging to their Houses, to the end it may appear to the said Justice or Justices where such Officers and Soldiers are Quartered or Billeted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the Quartering or Billeting of them.

Whitehall, May 23. His Majesty has been pleased to establish Rules and Articles for the better Government of His Majesty's Land-Forces for the Year 1718, pursuant to the Act of Parliament for that Purpose. An Extract of which Articles follows, those only being omitted which relate to the Discipline of the Forces among themselves.

ARTICLE I.

ALL Officers and Soldiers (not having just Impediment) shall diligently frequent Divine Service and Sermon in such Places as shall be appointed for the Regiment, Troop or Company to which they belong, and such as either wilfully or negligently absent themselves from Divine Service or Sermon, or else, being present, do behave themselves undecently or irreverently during the same, if they be Officers, they shall be severely reprehended at a Court-Martial; but if private Soldiers, they shall for every such first Offence forfeit each Man Twelve-Pence, to be deducted out of their next Pay; and for the second Offence shall forfeit Twelve-Pence, and be laid in Irons for twelve Hours, and for every like Offence afterwards shall suffer and pay in like manner; and the Money so forfeited shall be apply'd to the Relief of the sick Soldiers of such Troop or Company to which the Offender does belong.

II.

If any Sutler, in any of our Forts, Garrisons, Camps, Barricks, or Guards, shall, during Divine Service or Sermon, presume to sell any Beer, Brandy, Wine, or other Liquors, or any kind of Victuals, or other Merchandize, he shall be delivered over to the Civil Magistrate to be punished according to Law.

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Whosoever shall use any unlawful Oath or Execration (whether Officer or Soldier) shall incur the Penalties expressed in the fifty Article.

IV.

If any Officer or Soldier shall presume to blaspheme the holy and undefiled Name of God, or any Person of God the Father, Son or Holy Ghost, or the Holy Ghost, or the Holy Trinity, or any of the known Articles of the Christian Faith, he shall be deliver'd over by the commanding Officer to the civil Magistrate to be punish'd according to Law.

V.

If any Officer or Soldier shall abuse or prophane any Part of Divine Service by Word or Gesture, or shall offer Violence to any Minister of the Altar, or any other Minister of God's Word, he shall be liable to such Punishment or Censure as shall be inflicted on him by a Court-Martial.

VI.

If any Officer or Soldier shall presume to use any traitorous or mutinous Words against the Sacred Person of his Majesty, his Royal Highness the Prince of Wales, or any of the Royal Family, or shall behave himself with Contempt or Disrespect towards the General or other Commander in Chief of the Forces, or speak Words tending to his Hurt or Dishonour, he shall be punished according to the Nature of his Offence by the Judgment of a Regimental or General Court-Martial.

VII.

If any Officer or Soldier shall excite, cause or joyn in any Mutiny or Sedition in the Company, Troop or Regiment to which he belongs, or in any other Company, Troop or Regiment in his Majesty's Service, or on any Party or Post, where the Duty is done by Detachment from several Regiments, or otherwise, in the Army, he shall suffer Death, or such other Punishment as a General Court-Martial shall inflict.

And if any Officer, Non-Commission-Officer or Soldier, shall hear any Words tending to Mutiny or Sedition, or being any way privy thereto do not immediately use his utmost endeavours to suppress the same, as also to discover it to his Superiours, if an Officer he shall be cashiered, and if a Non-Commission-Officer or Soldier, he shall be severely punished at the Discretion of a Court Martial.

VIII.

If any Officer or Soldier shall refuse to obey the lawful Orders of his superior Officer, he shall be punished with Death, or otherwise, as a General Court-Martial shall think fit.

X.

All Officers and Soldiers who have received Pay, or have been duly inlisted in our Service, and shall desert the same, either in the Field, upon a March, in Quarters, or in Garrison, and be convicted thereof before a General Court-Martial, shall suffer Death, or such other Punishment as by the said Court shall be inflicted.

XII.

If any Officer or Soldier shall persuade or advise any other Officer or Soldier to desert our Service, he shall suffer such Punishment as shall be inflicted by the Sentence of a General Court-Martial.

XV.

If any Officer, Non-Commission Officer or Soldier, shall be accused of any capital Crime, or of any Violence or Offence against the Person, Estate or Property of any of our Subjects, which is punishable by the known Laws of the Land; the commanding Officers of every Regiment, Troop, Company or Party, are hereby required to deliver over such accused Person to the civil Magistrate, to be proceeded against as the Crime shall require, and assisting the Officers of Justice in the seizing and apprehending such Offender in order to bring him to Trial, under Pain of our highest Displeasure.

XIX.

No Officer or Soldier shall use any reproachful or provoking Speeches or Gestures to another, upon Pain of Imprisonment, and asking Pardon of the Party offended in Presence of his commanding Officer.

Nor shall any Officer or Soldier presume to send a Challenge to any other Officer or Soldier to fight a Duel, upon Pain, if the Person challenged is an Officer, of being cashiered; if a Soldier, of such Punishment as a General Court-Martial shall think fit.

And if any Officer or Non-Commission Officer commanding a Guard, shall wittingly and knowingly suffer any Person whatever to go forth to fight a Duel, he shall be punished as aforesaid. And all Seconds alike, and Carriers of Challenges in order to Duels, shall be taken as Principals, and punished accordingly.

All Officers, of what Condition soever, have power to part and quell all Quarrels, Frays, and other Disorders, tho' of another Company, Troop or Regiment; and to command Officers to Arrest, and Soldiers to Prison, until their proper Officers be acquainted therewith.

And whoever shall refuse to obey such Officer (tho' of inferior Rank) or draw his Sword upon him, shall be punished as a General Court-Martial shall appoint.

Nor shall any Officer or Soldier upbraid another for refusing a Challenge, since, according to these our Orders, they but do the Duty of Soldiers, who ought to subject themselves to Discipline; and we do acquit and discharge all Men who have Quarrels offer'd or Challenges sent to them of all Disgrace or Opinion of Disadvantage in the Obedience hereunto; and whosoever shall upbraid them and offend in this case, shall be punished as a Challenger.

XXI.

Every Non-Commissioner-Officer and Soldier who shall inlist himself in our Service, shall at the time of his so inlisting, or within a Month afterwards at the farthest, be taken before a Justice of the Peace by the inlisting Officer, or the Officer commanding the Troop or Company into which he is listed, and shall there take the Oath following:

I Swear to be true to our Sovereign Lord King George, and to serve him honestly and faithfully in Defence of his Person, Crown and Dignity, against all his Enemies and Opposers whatsoever, and to observe and obey His Majesty's Orders, and the Orders of the Generals and Officers set over me by His Majesty.

So help me God.

XXVIII.

All Officers and Soldiers are to behave themselves orderly in Quarters and on the March; and whoever shall commit any Waste or Spoil either on Walks of Trees, Parks, Warrens, Fish-Ponds, Houses or Gardens, Corn-Fields, Inclosures or Meadows, or shall maliciously destroy any Property whatever belonging to any of our Subjects, or belonging to any Person whatever, unless by Order of the then Commander in Chief of our Forces, to annoy Rebels, or other Enemies in Arms against us, he or they that shall be found guilty of offending herein, shall (besides such Penalties as they are liable to by Law) be punished according to the Nature and Degree of the Offence by the Judgment of a Regimental or General Court-Martial.

XXIX.

No Officer shall demand Billets for Quartering of more than his effective Men, nor quarter any Women or Children in the House assigned him for the Quartering of Officers and Soldiers, without the Consent of the Owner; nor shall take Money for freeing of Landlords from Quartering of Officers or Soldiers, under Pain of being cashier'd for it.

XXX.

Every Officer commanding a Regiment, Troop, Company, or Party, whether in settled Quarters, or on the March, shall see his own Quarters, and the Quarters of every Officer and Soldier under his Command, paid, according to the Rates specified in the Act of Parliament now in Force.

And upon every Payment to be made in Quarters, the said Officer shall give publick Notice thereof to the Landlords, in Order to see them satisfied as aforesaid: And in case any such Regiment, Troop, Company or Party, shall be order'd to march, before Money may become to the Hands of the commanding Officer as aforesaid, he is hereby required, before his Departure out of any Town or Village, to make up the Accounts with all Persons concerned in Money due to them for Quartering of Officers and Soldiers, for what Time soever he shall have happen'd to remain there; and grant to every such Party a signed Certificate for the same, therein specifying the Name of the Regiment, Troop, or Company such Officers

or

His Majesty is authorized by this Act to make Articles of War.

Deserters beyond Sea may be tried here or in Ireland.

If any Person or Persons shall, in a Court Martial constituted, as aforesaid, be Tryed, and Acquitted, or convicted of any Crimes or Offences herein before mentioned, such Acquittal or Conviction shall be a full Bar to any Indictment or Proceedings for the same Offence. [*See the 16th and 44th Articles of War.*]

This Act to extend to Deserters or Mutineers in Ireland.

Pay-masters, &c. to accompt with the Executors, &c. of every Officer or Soldier.

Persons sued for any thing directed to be done by this Act, may plead the general Issue.

This Act is to continue from the 24th of March, 1717, to the 25th of March, 1719.

And whereas by an Act of the first Year of His Majesty's Reign, entituled, *An Act for the more effectual and exemplary Punishment of such Persons as shall seduce Soldiers to desert, or being Papists, shall inlist themselves in His Majesty's Service in Great Britain or Ireland, or in the Islands of Guernsey or Jersey*, it is enacted, That any Person or Persons whatsoever, who should directly or indirectly perswade or procure, or endeavour to perswade or procure any Soldier or Soldiers in the Service of His Majesty, or of His Heirs or Successors, to desert, such Person or Persons so offending, and being thereof lawfully convicted, should forfeit the Sum of Forty Pounds: Now be it enacted, That for such Offences as shall be committed against the said recited Act within that Part of Great Britain called England, the Penalties thereby enacted, shall be sued for and recoverable in any of His Majesty's Courts of Record at Westminster; and for such Offences against the said Act as shall be committed in that Part of Great Britain called Scotland, the same shall be sued for and recoverable in His Majesty's Court of Exchequer in Scotland; and for such Offences against the said Act as shall be committed in Ireland, the same shall and may be sued for and recoverable in any of the four Courts at Dublin; any thing in the said recited Act to the contrary thereof in any wise notwithstanding.

For preventing unjust and fraudulent Arrests of Soldiers, whereby His Majesty and the Publick may be deprived of their Service; It is Enacted, That no Person whatsoever, who is Listed or shall List and Enter himself, as a Volunteer, into His Majesty's Service, as a Soldier, either in the Kingdom of *Great-Britain* or *Ireland*, during the Continuance of this Act, shall be liable to be taken out of His Majesty's Service by any Process or Execution whatsoever, other than for some Criminal Matter, unless for a Real Debt, or other just Cause of Action, and unless before the taking out such Process or Execution, not being for a Criminal Matter, the Plaintiff or Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before One or more Judge or Judges of the Court of Record, or other Court out of which such Process or Execution shall Issue, That to his or their Knowledge the Sum justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or the Cause of Action, on which such Process shall Issue, or the Debt or Damages and Costs for which such Execution shall be Issued out, amounts to the Value of Ten Pounds at least, a Memorandum of which Oath shall be marked on the Back of such Process or Writ, for which Memorandum and Oath no Fee shall be taken; And if any Person shall be nevertheless Arrested contrary to the Intent of this Act, It shall and may be Lawful for One or more Judge or Judges of such Court, upon Complaint made thereof by the Party himself, or by any his Superior Officer, to Examine into the same, by the Oath of the Parties, or otherwise, and by Warrant under his or their Hands and Seals, to Discharge such Soldier so Arrested, contrary to the Intent of this Act, without Paying any Fee or Fees, upon due Proof made before him or them that such Soldier so Arrested was Legally Listed as a Soldier in His Majesty's Service, and Arrested contrary to the Intent of this Act, and also to award to the Party so complaining such Costs as such Judge or Judges shall think Reasonable; for the Recovery whereof he shall have the like Remedy that the Person who takes out the said Execution might have had for his Costs, or the Plaintiff in the said Action might have had for the Recovery of his Costs, in case Judgment had been given for him with Costs against the Defendant in the said Action.

For enabling honest Creditors to recover their just Debts from Soldiers, it is provided, That it shall and may be Lawful to and for any Plaintiff or Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Person or Persons so Listed, or left at his or their last Place of Residence before such Listing, to File a Common Appearance in any Action to be brought for or upon Account of any Debt whatsoever, so as to Entitle such Plaintiff to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than against the Body or Bodies of him or them so Listed, as aforesaid.

A Penalty not exceeding 5 l. nor less than 40 s. to be laid on Constables, &c. taking or agreeing for Money to excuse any Person from Quartering; and on Victuallers refusing to quarter Soldiers.

And for the better Preventing Abuses in Quartering or Billeting of Soldiers in pursurance of this Act, Be it further Enacted, That it shall and may be Lawful to and for any One or more Justice or Justices of the Peace, within their respective Counties, Cities, or Liberties, by Warrant or Order under his or their Hands and Seals, at any time or times during the Continuance of this Act, to Require and Command any High-Constable Constable, Beadle, or other Officers, who shall Quarter or Billet any Soldiers in pursuance of this Act, to give an Account in Writing unto the said Justice or Justices requiring the same, of the Number of the Officers and Soldiers who shall be Quartered or Billeted by them, and also of the Names of the House-keepers or Persons upon whom every such Officer or Soldier shall be Quartered or Billeted, together with an Account of the Street or Place where such House-keepers dwell, and of the Signs (if any) belonging to their Houses, to the end it may appear to the said Justice or Justices where such Officers and Soldiers are Quartered or Billeted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the Quartering or Billeting of them.

Whitehall, May 23. His Majesty has been pleased to establish Rules and Articles for the better Government of His Majesty's Land-Forces for the Year 1718, pursuant to the Act of Parliament for that Purpose. An Extract of which Articles follows, those only being omitted which relate to the Discipline of the Forces among themselves.

ARTICLE I.

ALL Officers and Soldiers (not having just Impediment) shall diligently frequent Divine Service and Sermon in such Places as shall be appointed for the Regiment, Troop or Company to which they belong, and such as either wilfully or negligently absent themselves from Divine Service or Sermon, or else, being present, do behave themseves undecently or irreverently during the same, if they be Officers, they shall be severely reprehended at a Court-Martial; but if private Soldiers, they shall for every such first Offence forfeit each Man Twelve-Pence, to be deducted out of their next Pay; and for the second Offence shall forfeit Twelve-Pence, and be laid in Irons for twelve Hours, and for every like Offence afterwards shall suffer and pay in like manner; and the Money so forfeited shall be apply'd to the Relief of the sick Soldiers of such Troop or Company to which the Offender does belong.

II.

If any Sutler, in any of our Forts, Garrisons, Camps, Barricks, or Guards, shall, during Divine Service or Sermon, presume to sell any Beer, Brandy, Wine, or other Liquors, or any kind of Victuals, or other Merchandize, he shall be delivered over to the civil Magistrate to be punished according to Law.

III. Who-

III.

Whosoever shall use any unlawful Oath or Execration (whether Officer or Soldier) shall incur the Penalties expressed in the first Article.

IV.

If any Officer or Soldier shall presume to blaspheme the holy and undivided Trinity, or the Persons of God the Father, God the Son, or God the Holy Ghost, or shall presume to speak against any known Article of the Christian Faith, he shall be deliver'd over by the commanding Officer to the civil Magistrate to be punish'd according to Law.

V.

If any Officer or Soldier shall abuse or prophane any Place dedicated to the Worship of God, or shall offer Violence to any Chaplain of the Army, or any other Minister of God's Word, he shall be liable to their Penalty or corporal Punishment as shall be inflicted on him by a Court-Martial.

VI.

If any Officer or Soldier shall presume to use any traiterous or disrespectful Words against the sacred Person of his Majesty, his Royal Highness the Prince of Wales, or any of the Royal Family, or shall behave himself with Contempt or Disrespect towards the General or other Commander in Chief of the Forces, or speak Words tending to his Hurt or Dishonour, he shall be punished according to the Nature of his Offence by the Judgment of a Regimental or General Court-Martial.

VII.

If any Officer or Soldier shall excite, cause or joyn in any Mutiny or Sedition in the Company, Troop or Regiment to which he belongs, or in any other Company, Troop or Regiment in his Majesty's Service, or on any Party or Post, where the Duty is done by Detachment from several Regiments, or otherwise, in the Army, he shall suffer Death, or such other Punishment as a General Court-Martial shall inflict.

And if any Officer, Non-Commission-Officer or Soldier, shall hear any Words tending to Mutiny or Sedition, or being any way privy thereto do not immediately use his utmost endeavours to suppress the same, as also to discover it to his Superiours, if an Officer he shall be cashiered, and if a Non-Commission-Officer or Soldier, he shall be severely punished at the Discretion of a Court Martial.

VIII.

If any Officer or Soldier shall refuse to obey the lawful Orders of his superior Officer, he shall be punish'd with Death, or otherwise, as a General Court-Martial shall think fit.

X.

All Officers and Soldiers who have received Pay, or have been duly listed in our Service, and shall desert the same, either in the Field, upon a March, in Quarters, or in Garrison, and be convicted thereof before a General Court-Martial, shall suffer Death, or such other Punishment as by the said Court shall be inflicted.

XII.

If any Officer or Soldier shall perswade or advise any other Officer or Soldier to desert our Service, he shall suffer such Punishment as shall be inflicted by the Sentence of a General Court-Martial.

XVI.

If any Officer, Non-Commission Officer or Soldier, shall be accused of any capital Crime, or of any Violence or Offence against the Person, Estate or Property of any of our Subjects, which is punishable by the known Laws of the Land; the commanding Officers of every Regiment, Troop, Company or Party, are hereby required to deliver over such accused Person to the civil Magistrate, to soon as apply'd to; and are also to be aiding and assisting to the Officers of Justice in the seizing and apprehending such Offender in order to bring him to Tryal, under Pain of our highest Displeasure.

XIX.

No Officer or Soldier shall use any reproachful or provoking Speeches or Gestures to another, upon Pain of Imprisonment, and asking Pardon of the Party offended in Presence of his commanding Officer.

Nor shall any Officer or Soldier presume to send a Challenge to any other Officer or Soldier to fight a Duel, upon Pain of being cashier'd if he be an Officer, or suffering the severest corporal Punishment if a Non-Commission Officer or Soldier.

And if any Officer or Non-Commission Officer commanding a Guard, shall wittingly and knowingly suffer any Person whatever to go forth to fight a Duel, he shall be punished as above: And all Seconds also, and Carriers of Challenges in order to Duels, shall be taken as Principals, and punished accordingly.

All Officers, of what Condition soever, have power to part and quell all Quarrels, Frays, and other Disorders, tho' of another Company, Troop or Regiment; and to command Officers to Arrest, and Soldiers to Prison, until their proper Officers be acquainted therewith.

And whoever shall refuse to obey such Officer (tho' of inferior Rank) or draw his Sword upon him, shall be punished as a General Court-Martial shall appoint.

Nor shall any Officer or Soldier upbraid another for refusing a Challenge, since, according to these our Orders, they but do the Duty of Soldiers, who ought to subject themselves to Discipline; and we do acquit and discharge all Men who have Quarrels offer'd or Challenges sent to them, of all Disgrace or Opinion of Disadvantage in the Obedience hereunto; and whosoever shall upbraid them and offend in this case, shall be punished as a Challenger.

XXI.

Every Non-Commissioner Officer and Soldier who shall inlist himself in our Service, shall at the time of his so inlisting, or within a Month afterwards at the farthest, be taken before a Justice of the Peace by the inlisting Officer, or the Officer commanding the Troop or Company into which he is listed, and shall there take the Oath following:

I Swear to be true to our Sovereign Lord King George, and to serve him honestly and faithfully in Defence of his Person, Crown and Dignity, against all his Enemies and Opposers whatsoever, and to observe and obey His Majesty's Orders, and the Orders of the Generals and Officers set over me by His Majesty.

So help me God.

XXVIII.

All Officers and Soldiers are to behave themselves orderly in Quarters and on the March; and whoever shall commit any Waste or Spoil either on Walks of Trees, Parks, Warrens, Fish-Ponds, Houses or Gardens, Corn-Fields, Inclosures or Meadows, or shall maliciously destroy any Property whatever belonging to any of our Subjects, or belonging to any Person whatever, unless by Order of the then Commander in Chief of our Forces, to annoy Rebels, or other Enemies in Arms against us, he or they that shall be found guilty of offending herein, shall (besides such Penalties as they are liable to by Law) be punished according to the Nature and Degree of the Offence by the Judgment of a Regimental or General Court-Martial.

XXIX.

No Officer shall demand Billets for Quartering of more than his effective Men, nor quarter any Women or Children in the House assigned him for the Quartering of Officers and Soldiers, without the Consent of the Owner; nor shall take Money for freeing of Landlords from Quartering of Officers or Soldiers, under Pain of being cashier'd for it.

XXX.

Every Officer commanding a Regiment, Troop, Company, or Party, whether in settled Quarters, or on the March, shall see his own Quarters, and the Quarters of every Officer and Soldier under his Command, paid, according to the Rates specified in the Act of Parliament now in Force.

And upon every Payment to be made in Quarters, the said Officer shall give publick Notice thereof to the Landlords, in Order to see them satisfied as aforesaid: And in case any such Regiment, Troop, Company or Party, shall be order'd to march, before Money may be come to the Hands of the commanding Officer as aforesaid, he is hereby required, before his Departure out of any Town or Village, to make up the Accounts with all Persons concerned in Money due to them for Quartering of Officers and Soldiers, for what Time soever he shall have happen'd to remain there; and grant to every such Party a signed Certificate for the same, therein specifying the Name of the Regiment, Troop, or Company such Officers

or

or Soldiers do belong to, under pain of being caſhier'd for it, upon Proof of having wilfully offended herein.

XXXI.

On Marches, the commanding Officers are to apply to the proper Magiſtrates for the Carriages neceſſary for the Service, and to pay for them according to the Act of Parliament in that Behalf, taking care not to abuſe nor to ſuffer any under their Command to beat or abuſe the Waggoners or other Perſons, attending ſuch Carriages, nor to put more than Twenty Hundred Weight on any Wayne or Waggon ſo furniſhed to them by the Country.

And whatever Officer ſhall be convicted of offending herein, or of refuſing to grant Certificates in Caſe of Failure of Money, as in the preceeding Article, ſhall by the Judgment of a general Court Martial be caſhier'd, or otherwiſe puniſhed according to the Degree of his Offence.

XXXII.

All Officers Commanding in Garriſons, in Quarters, or on Marches, ſhall keep good Order, and redreſs all ſuch Abuſes or Diſorders as may happen to be committed by any Officer or Soldier under their Command: And if on Complaint made to any ſuch commanding Officer, of beating of Landlords, or extorting of more from them than they are obliged by Law to furniſh; of Soldiers diſturbing of Fairs or Markets, or committing any other kind of Riots, to the diſturbing or diſquieting our People; he the ſaid Commander who ſhall refuſe or omit to ſee Juſtice done on the Offender, and Reparation made to the Party injured, ſo far as Part of the Offender's Pay can enable him, he ſhall, upon Proof thereof, be puniſhed by a General Court Martial, as if he himſelf had perſonally committed the Crimes or Diſorders complained of.

XXXVII.

If any Officer ſhall protect any Perſon from his Creditors, otherwiſe than is allow'd by the preſent Act of Parliament; or any one who does not actually ſerve in the Ranks, and conſtantly do all the Duties of a Soldier, (according to the true Intent and Meaning of the ſaid Act) he ſhall be caſhier'd for it.

XLIV.

In Caſe any Officer, Non-Commiſſion Officer, or Soldier, be accuſed of any Violence or Offence againſt the Perſon, Eſtate, or Property of any of our Subjects, puniſhable by any of our Civil Courts or Magiſtrates, the Officer to whom ſuch Accuſation is brought, ſhall not proceed to the Tryal of ſuch Offender or Offenders by a Court Martial, within the Space of eight Days, unleſs at the Deſire of the Perſon or Perſons injured. And in Caſe no Application be made to the commanding Officer in Quarters, during the ſaid Space of eight Days, by the Perſon or Perſons injured, the Offender or Offenders may be tryed by a Court Martial for any Offence mentioned in theſe Articles; Provided that within the Space of the ſaid eight Days, the Perſon injured hath not proceeded to the Proſecution of ſuch Offender before a Civil Court or Magiſtrate, and Notice given thereof to the Officer commanding in the Quarters where ſuch Offence ſhall be committed.

XLV.

Theſe our Rules and Articles are to be obſerved by, and do in all Reſpects regard, our Troops and Regiments of Horſe and Foot Guards, as well as our other Forces.

XLVI.

The aforegoing Rules and Articles ſhall be read and publiſhed at the Head of every Regiment, Troop, and Company muſter'd or to be muſter'd in our Service, once every two Months at fartheſt, and are to be duly obſerved by all Officers and Soldiers in our Service; and alſo by our Companies of Gunners, and other Military Officers of our Trains of Artillery, with ſuch Alterations only as relate to the Payment of Soldiers Quarters and Carriages, which in the Kingdom of *Ireland* are to be regulated by the Lord Lieutenant thereof, and in our Iſlands, Provinces, and Garriſons beyond the Seas, by the reſpective Governors of the ſame, according as the Nature of the Thing ſhall require: And notwithſtanding it is expreſs'd in the (16th) Article of theſe our Rules and Orders, that every commanding Officer is required to deliver up to the Civil Magiſtrate all ſuch Perſons (under his Command) as ſhall be accuſed of any Crimes which are puniſhable by the known Laws of the Land; yet in our Garriſon of *Gibraltar*, Iſland of *Minorca*, Forts of *Placentia* and *Annapolis-Royal*, where our Forces now are, or in any other Place beyond the Seas, to which any of our Troops may hereafter be commanded, and where there is no Form of our Civil Judicature in Force, the Governors or Commanders reſpectively are to appoint general Courts Martial to be held, who are to puniſh Criminals by their Sentence; as has been practiſed heretofore, and authorized by former Articles of War.

Madrid, May 16.

ON the 12th Inſtant the King, Queen, and Prince of Aſturias, accompanied by the Grandees, went to the Royal Chappel of our Lady of Atocha, where Te Deum was ſung with great Solemnity, and at Night there were Illuminations. To Day their Majeſties ſet out from hence, propoſing to lie to Night at Guadarrama, and to be at Balſain to Morrow. 'Tis adviſed from Barcelona, that the Fleet and Tranſports there will be in a Readineſs to ſail towards the End of this Month.

Vienna, May 18. Letters from Paſſarowitz of the 8th Inſtant adviſe, that the Plenipotentiaries who are to form the Congreſs for treating of Peace, were arrived in that Neighbourhood, viz. on the 3d M. Talman the Emperour's ſecond Ambaſſadour Plenipotentiary; on the 4th Sir Robert Sutton Ambaſſadour of the King of Great Britain for the Mediation; on the 6th the Ambaſſadours Plenipotentiaries of the Ottoman Port, with Count Colier the Ambaſſadour of the States General for the Mediation; on the 7th Count Virmont the Emperour's firſt Ambaſſadour Plenipotentiary, and the Procurator Sig. Ruzzini Ambaſſadour Plenipotentiary of the Republick of Venice; and we are expecting to hear very ſpeedily that the Congreſs is opened. In the mean time our military Preparations are not ſlackened.

Dreſden, May 21. On the 18th at Night the King of Poland returned hither, and was laſt Night on Horſeback in the great Garden, where the Court uſually goes to take the Air in the Evenings. 'Tis ſaid his Majeſty will ſet out from hence this Day Sevennight for Reyſſen in Great Poland, where he is to receive the Turkiſh Envoy, as well as a Deputation from the Tartars, which is to come at the ſame Time. From Reyſſen the King will diſpatch the neceſſary Orders for aſſembling the Diet, which is to be opened at Grodno in Lithuania the 3d of October next.

Copenhagen, May 24. Admiral Rabe, with the Daniſh Squadron of 12 Men of War and two Frigates, is ſailed from the Bay of Koge for Bornholm. The Swedes, after having lain ſome Time with 10 Ships of War and two Frigates off Steffen, upon the Daniſh Squadron's putting to Sea, retired by Uſtedt towards Carlſcroon.

Hague,

Hague, May 31. On the 28th in the Evening the Earl of Cadogan set out for Antwerp, in order to confer with the Marquess de Prié about the Barrier, on a Resolution of the States which they had delivered to him that Morning. His Excellency is expected back to Morrow Night. On the 28th Instant the States of Holland adjourned till to Morrow, and the Depeties are gone home to their several Towns, to receive more particular Instructions on the Points now in Agitation for settling the publick Tranquility of Europe. Yesterday Morning the Earl of Albemarle dyed of the Small Pox, in the 49th Year of his Age 'Tis believed Count Hompesch will succeed him as Governour of Boisleduc, and General of the Horse. Prince William of Hesse Cassel is arrived here.

Westminster, May 20. This Day the Parliament met, and was further prorogued to the 22d of July next.

Whitehall, May 22, 1718.

It is His Majesty's express Will and Pleasure, that all the Officers belonging to the Regiments of Foot here undernamed, do forthwith repair to their respective Posts at Portsmouth and the Isle of Wight, upon Pain of His Majesty's highest Displeasure.

Collonel Cosby's, Collonel Cha. Otway's,
Collonel James Otway's, Brigadier Bisset's.

Ro. Pringle.

Whitehall, May 23, 1718.

Whereas the Heath in the preserved Grounds neer Swinly-Lodge, in His Majesty's Forest of Windsor, was, on Thursday the 15th Instant, set on Fire, and several Acres of the said Heath were thereby consumed; if any one shall discover the Person who committed the Fact, or any other Persons concerned therein, so as he or they may be convicted thereof, His Majesty is graciously pleased to promise a Reward of 20 l. to be paid upon such Conviction; and His Majesty is further pleased to grant His most gracious Pardon to any one of the Accomplices who shall make such Discovery, provided he be not the Person who actually set Fire to the Heath.

J. CRAGGS.

This is to give Notice, That the Right Honourable the Lords Commissioners of His Majesty's Treasury, have been pleased to appoint Money for paying all the Arrears due to the Pensioners belonging to the Chest at Chatham, to Lady-Day, 1718. And that the said Pay will begin at Chatham, on Monday the 16th of June next.

Admiralty-Office, May 21, 1718.

The Lords Commissioners of the Admiralty having received a Letter, dated the 12th of this Month, and directed to Mr. Burchet their Secretary, relating to an Affair in one of His Majesty's Yards: Their Lordships do hereby give Notice, that if the Person who writ the said Letter will attend them at their Office, and make out what he alledges, he shall have all fitting Encouragement and Protection.

A Letter dated the 22d of January past, signed John Usher, being received by the Right Honourable the Lords of the Admiralty, and sent to the Navy Board, intimating, that in the Canada Account there are several wrong Charges, and the said Letter mentioning one Armstrong that can give Information thereof: If the said Usher, or Armstrong, or any other Person, can serve His Majesty by any such Discovery, the Navy Board will be ready to receive the same any Monday, Wednesday or Friday in the Morning, till the End of June next, (and to give all fitting Encouragement for it) till which Time such Bills as are in the Office on that Account will be stopt, and no longer.

Horse-Guards, May 23, 1718.

Whereas according to several Publications in the Gazette, the Field-Officers, Captains and Agents of the respective Regiments therein named have appeared at the Great Chamber of the Horse-Guards, and given an Account of the Qualifications of the Officers of the respective Regiments to which they did belong; And whereas several Officers who were on the List of Half-Pay for the Year 1717, have not as yet been found to be qualified according to the Prescriptions laid down in the late Act of Parliament in that behalf: These are to give Notice, That a List of the Names of such Officers, of the Regiments which have already been examined, whose Qualifications have not been proved, will be forthwith put upon the Door of the said Great Chamber, in order to their Appearing or Appointing proper Persons to answer for them at their last Examination, which is to begin on Friday next the 30th Instant, at Ten a-Clock in the Morning.

Horse-Guards, May 23, 1718.

Whereas His Majesty hath been pleased to appoint a Board, consisting of General Officers and others, to examine into the Qualifications of all Persons who have enjoyed the Benefit of Half-Pay upon the Establishment of Great Britain, to the 24th of December last, as reauced Officers of the Land Forces and Marines: These are to give Notice to the Officers on Half-Pay by Warrants, whose Qualifications shall appear to them to come within the Rule laid down in an Act passed in the last Session of Parliament, that they, or some proper Persons in their Behalf, do attend the said Board at the great Room at the Horse-Guards, on Friday the 6th of June, at 10 in the Morning, to give an Account of their Qualifications respectively, in order to the forming an exact List of such Half-Pay Officers as shall be found to be qualified, pursuant to the said Act.

This is to give Notice, That the Commissioners appointed for Building Fifty new Churches, &c. will be ready to receive Proposals from Blacksmiths, for the Iron-Work of the New Churches, at their Office in the Old Palace-Yard, Westminster, on Monday the 26th Instant.

The Court of Directors of the South-Sea Company give Notice, that all such of their Bonds as fall due on or before the 25th of June next, will be continued for one Year longer, at four per Cent. per Annum, to all such Persons as shall not on or before the 12th of the said Month of June make their Demand of the same of the said Company's Cashier, at their House in Broad-Street; and the Bonds which shall be so demanded will be paid off accordingly.

The Merchant-Taylor's Company, do hereby give Notice, That a Court will sit on Friday the 30th Instant, at Ten in the Morning, at Merchant-Taylor's-Hall, near the Royal-Exchange, to receive Proposals in Writing, for Letting sundry good Messuages and Tenements, well situated, in divers Parts of the City of London, for a Term of Fifty One Years, from the Expiration of the present Leases, being of above the Yearly Value of 1000 l. besides the Ground Rents; further Particulars of the Situation, Ground Rents, and Term in being, may be had of Mr. George North, Clerk to the said Company, at their said Hall.

Hand in Hand Fire-Office.

The Directors give Notice, that a General Meeting of the Contributors of the said Society will be held at their Office in Angel-Court on Snow-Hill, on Thursday the 12th of June next, by Three in the Afternoon; where all who have insured are desired to be present.

Advertisements.

A Freehold Estate, consisting of a Messuage and Dwelling House, with Barns and Out-Houses, one Garden and two Orchards, and 100 Acres of Land, Meadow and Pasture, situate in Admirgill, in the County of York, of the yearly Rent of 50 l. or thereabouts, late the Estate of Alexander Hartley, Gent. is, by a Decree of the High Court of Chancery, to be sold, before Henry Lovibond, Esq; one of the Masters of the said Court, at his Office in Chancery-Lane, London.

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